

REMARKS

Claims 1-17 are pending in the application. In the Office Action, the Examiner has rejected Claims 1-4 and 8 under 35 U.S.C. § 102(b) as being anticipated by Lee (Korean Pub. KR 010068980). Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Babcock (U.S. 2002/0160255). Claims 9-13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Lin (U.S. Pub. 2002/0024794). Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Lin and in further view of Babcock.

Claim 9 is cancelled and Claim 10 is amended to incorporate the recitation of Claim 9.

Independent Claim 1 teaches a locking device for a handheld radiotelephone that attaches and detaches a battery pack to and from the radiotelephone. The locking device employs an elastic locker, in which the elastic locker and the pusher are integrated as a single body. The elastic locker has a first end fixed on the radiophone and a second end selectively locked in a locking hole formed in the battery pack. The elastic locker piece is selectively locked in the locking hole in the battery pack “for simultaneously performing an elastic operation and a locking operation”, as recited in Claim 1. The simultaneous elastic and locking operation causes the elastic locker to compress when the pusher is depressed so as to move its free end down and away from the locking hole in the battery thereby releasing the battery pack; and to spring to its uncompressed state when the pusher is released, thereby moving its free end up and outward to mate with the locking hole of the battery pack, if the battery pack is in place.

The Examiner asserts that Lee teaches all elements of Claim 1. It is respectfully submitted that the Examiner is incorrect.

The device shown as item 10 in Fig. 5 of Lee comprises a pusher (the flat element at the top shown as a semicircular slice) with guides 12 and 12a, and a locking element 11, which engages the battery. With Lee, one element, the tension rib 13, performs the elastic operation and a second element, the locking element 11, performs the locking operation. The elastic element, tension rib 13, does not perform the locking operation. Contrary to this, Claim 1 recites “an elastic locker having a first end fixed on the radio telephone and a second end selectively locked in a locking hole formed in the battery pack”, which is neither disclosed nor suggested in Lee.

In view of the above, Lee does not anticipate each and every element of Claim 1.

With respect to amended Claim 10, the Examiner asserts that Fig. 3 of Lee discloses, in part, an elastic locker having a predetermined elasticity, of which a first end is fixed to a predetermined position of a lower casing frame of the radiotelephone and a second end is selectively locked in a locking hole.

Lin teaches a cradle capable of placing batteries of various sizes within it for charging. A slide mechanism adjusts the size of the space for placing the object. Lin does not teach "an elastic locker having a predetermined elasticity, of which a first end is fixed to a predetermined position of a lower casing frame of the radio telephone and a second end is selectively locked in a locking hole".

For at least the reasons given above with respect to Claim 1, Claim 10 is believed to be patentable over the cited references, in particular Lee and Lin.

Accordingly, it is believed that independent Claims 1 and 10 are in condition for allowance. Without conceding the patentability per se of dependent Claims 2-8 and 11-17, these claims are also believed to be in condition for allowance for at least the above reasons.

Should the Examiner feel that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



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